

## REMARKS

### Status of Claims

The Final Office Action mailed June 26, 2008 has been reviewed and the comments therein were carefully considered. Claims 1-3, 5, 8-10, 12-14, 16, 19-21, 23-25, 27, 29-31, 33, and 35-40 are pending in the application, and are currently rejected. By this Amendment, Claims 1, 12, and 23 are amended.

### Claim Rejection Under 35 U.S.C. 103

Claims 1-3, 5, 8-10, 12-14, 16, 19-21, 23-25, 27, 29-31, and 35-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe et al (U.S. Patent 5,623,613) in view of Boylan, III et al (U.S. Publication No. 2002/0166120 A1). Applicant traverses this rejection.

The Examiner on pages 2-4 presents an explanation on how Rowe discloses a virtual world. Applicant respectfully maintains the position that what Rowe describes does not make sense as a "virtual world".

Applicant has amended Claims 1, 12, and 23 to provide more detail on the virtual worlds usable as part of the EPG as recited by the claims. Such details include that the virtual worlds are 3-D, and also that the EPG objects include world descriptions that describe layouts and elements for the virtual worlds. Applicant asserts that neither Rowe nor any of the other cited references, either alone or combined, teach or disclose these features. Accordingly, Applicant asserts that Claims 1, 12 and 23 and all claims that depend upon them are allowable.

Regarding Claims 35 and 38, the Examiner states on page 7 that Rowe at Col. 7 lines 28-30 and Col. 11 lines 23-40 teaches the 3-D EPG including a presentation of a virtual world selected on the basis of a user's age. Applicant disagrees. Rowe at the cited sections merely discloses different categories and sub-categories of **programming information** that can be displayed and how these categories and sub-categories may be selected to limit the display to just programs in the particular category. There is no teaching or suggestion of "presentation of a **virtual world** selected on the basis of a user's age". Further, Applicant notes that in Rowe, there is

no discussion of age, just the mention of “children’s programs”. None of the other cited references, either alone or combined, make up for this deficiency. Therefore Applicant asserts that Claims 35 and 38 are allowable separate from their dependence on allowable parent claims.

Regarding Claims 36 and 39, the Examiner states on page 7 that Rowe at Col. 2 lines 44-47 and Col. 14 lines 21-32 teaches wherein the 3-D EPG includes a presentation of a virtual world customized by user preferences. Applicant disagrees. There is no teaching or suggestion at the cited sections of Rowe for “presentation of a **virtual world** customized by user preferences.” Rowe at the cited sections merely discloses **programming information** that presented based on user preferences (similar to the categories described above). None of the other cited references, either alone or combined, make up for this deficiency. Therefore Applicant asserts that Claims 36 and 39 are allowable separate from their dependence on allowable parent claims.

Regarding Claims 37 and 40, the Examiner states on page 7 that Rowe at Col. 6 lines 2-8 teaches wherein the 3-D EPG includes a presentation of a virtual world selected by a programmer. Applicant again disagrees. Rowe at the cited section describes program distribution through communications links and distribution at a headend system. This is not related to what is claimed in these claims. Further, none of the other cited references, either alone or combined, make up for this deficiency. Therefore Applicant asserts that Claims 37 and 40 are allowable separate from their dependence on allowable parent claims.

**Conclusion**

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

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